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12 **UNITED STATES DISTRICT COURT**
13 **DISTRICT OF NEVADA**

14 VINA DEJORIA, an individual,
15
16 Plaintiff,

17 vs.

18 DENNY'S INC., a Foreign Corporation,
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20 Defendant.

CASE NO: 2:21-cv-01216-APG-DJA

21 **STIPULATION TO DISMISS**
22 **DEFENDANT DENNY'S INC. AND**
23 **SUBSTITUTE INKA, LLC, d/b/a**
24 **DENNY'S RESTAURANT #9346 AND**
25 **ACCEPTANCE OF SERVICE OF**
26 **PROCESS**

27 **[FIRST REQUEST]**

28 Plaintiff VINA DEJORIA ("Plaintiff") and INKA, LLC, d/b/a DENNY'S
RESTAURANT #9346 ("Inka"), by and through their attorneys of record, hereby stipulate as
follows:

Denny's Inc. did not employ Plaintiff and is not a proper party to this action. Instead,
Inka employed Plaintiff and is the proper party to this action.¹ Accordingly, Plaintiff and Inka
(the "parties") respectfully request and hereby stipulate that an order dismissing Defendant
Denny's Inc. and substituting Inka as defendant in its place be entered. The parties agree that the
caption of this matter will be revised in accordance with this stipulation. The parties further agree
that, because the action is ongoing between Plaintiff and Inka, no determination of responsibility
for fees and costs is necessary at this time.

¹ King Durham represents Inka and will accept service of the summons and complaint in this matter on behalf of Inka.

1 In light of the above stipulation, the parties respectfully request that Inka be granted an
2 extension to respond to the Complaint so that dismissal of Denny's Inc. and substitution of Inka
3 as defendant can be effectuated prior to the requirement to file a responsive pleading. If the
4 requested extension is granted, Inka will file its response on or before August 6, 2021. This is the
5 first request for an extension made by the parties and the parties make this request in good faith
6 and not for the purpose of delay.

7 Dated: July 7, 2021

Dated: July 7, 2021

8
9 /s/ Trevor J. Hatfield

/s/ Matthew L. Durham

10 TREVOR J. HATFIELD
11 HATFIELD & ASSOCIATES, LTD

MATTHEW L. DURHAM
KING DURHAM

12 *Attorney for Plaintiff*

Attorneys for Defendant Inka, LLC

13
14 **ORDER**

15 **IT IS SO ORDERED.**

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17 Dated: July 7, 2021

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20 UNITED STATES DISTRICT JUDGE
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